

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:06CR094-02
)	
Plaintiff,)	
)	
vs.)	Judge Peter C. Economus
)	
MELVIN C. KING,)	
)	<u>ORDER</u>
Defendant.)	(Adopting Docket No. 34)

On March 1, 2006, Melvin C. King, defendant, was indicted on one count of conspiracy to distribute and possess with the intent to distribute at least five kilograms of a mixture or substance containing a detectable amount of cocaine base, in violation of 21 U.S.C. §§ 841 and 846 (Count 1); and one count of knowingly and intentionally distributing fifty grams of a mixture or substance containing a detectable amount of cocaine base, in violation of 21 U.S.C. § 841 (Count 2). (Docket No. 8.) The Defendant pled “not guilty”.

On September 12 2006, this matter was referred to a United States Magistrate Judge pursuant to General Order 99-49, and with the consent of the parties, for the purpose of accepting the Defendant’s change of plea to guilty as to Count 1. At a hearing held on September 14, 2006, the Defendant, accompanied by counsel, proffered a plea of guilty as to

Count 1.

The Magistrate Judge issued a Report and Recommendation documenting the Defendant's plea. (Docket No. 34.) The Report indicates that the Defendant was advised of his rights, and that the hearing otherwise complied with all requirements imposed by the United States Constitution and Federal Criminal Procedure Rule 11. Finding that the plea was made knowingly, intelligently, and voluntarily, the Magistrate recommends that this Court accept and enter the Defendant's plea of guilty as to Count 1 of the Indictment.

Pursuant to General order 99-49, and absent any objections by the parties, the Court accepts and adopts the Report and Recommendation of the Magistrate Judge. In doing so, the Court finds that the Defendant knowingly, intelligently, and voluntarily entered a plea of guilty as to Count 1 of the Indictment, and that all of the requirements imposed by the United States Constitution and Fed. R. Crim. P. 11 have been satisfied. Therefore, the Court finds that the Defendant committed the offense charged in Count 1, and hereby accepts and enters the Defendant's plea of guilty.

IT IS SO ORDERED.

Date: October 25, 2006

/s/ Peter C. Economus

UNITED STATES DISTRICT JUDGE